



# THE NOTICE

April 2015

Certificate of Need matters considered by Health Resources Development Service (HRDS) are reported in *The Notice*. Comments, evidence, and requests regarding these projects should be sent to the Department at the address and phone number above.

**The Department provides Long Term Care Survey inspection reports on-line. A link is available on the HRDS Web page at <http://hrds.health.ok.gov>.**

## **I. ACTIONS TAKEN BY THE OKLAHOMA STATE DEPARTMENT OF HEALTH FROM MARCH 4, 2015 THROUGH APRIL 6, 2015 WERE AS FOLLOWS:**

### **CERTIFICATE OF NEED APPLICATIONS APPROVED**

None

### **CERTIFICATE OF NEED APPLICATIONS HAVE BEEN WITHDRAWN, DENIED, OR RECONSIDERED**

**Care Living Center #14-001.** Contact Person: S. Gregory Frogge, Ph: 405-552-2283. SWALK Operations, LLC d/b/a Care Living Center, Oklahoma City, Oklahoma has applied to the Oklahoma State Department of Health (OSDH) for permission acquire by lease the suspended operations, of a sixty-six (66) bed Nursing Facility located at 5512 South Western, Oklahoma City, Oklahoma 73109, from David Rhoades, Receiver for Quality Health Care, LLC. SWALK Operations, LLC is owned one hundred percent (100%) by Southwest SNF Holdings, LLC. Southwest SNF Holdings, LLC is managed by WR Investments GP Manger, Inc. with John F. Taylor as President. WR Investments GP Manager, Inc. is owned one hundred percent (100%) by WR Investments GP, Inc., and John F. Taylor is the sole owner of WR Investments GP, Inc. WR Investments GP, Inc. is the General Partner of WR Investments, LP which is the Master Holding Company and one hundred percent (100%) Member of Southwest SNF Holdings, LLC. The Limited Partners of WR Investments, LP are John F. Taylor (45.805%) Lake Creek Capital Partners, LP, (30.323%); Jim Fisher, (10.709%); Paula Pierce, (10.065%); and John Paul Taylor (3.097%). Lake Creek Capital Partners, LP are John F. Taylor (60%); John Paul Taylor (20%), Scott Campbell (20%) and LC General Partner, LLC (General Partner). John F. Taylor owns one hundred percent (100%) of LC General Partner, LLC. Date Filed: January 3, 2014. Incomplete: January 17, 2014. Additional Information Due: April 17, 2014. Additional Information Filed: April 4, 2014. Complete: April 15, 2014. Deadline for notice of intent to participate: May 12, 2014. Decision Due: June 26, 2014. Request to extend decision deadline received June 18, 2014. Granted extension request June 19, 2014. Decision deadline: July 30, 2014. Request to extend decision deadline: July 11, 2014. Decision deadline: August 11, 2014. Disapproved: August 11, 2014. The applicant

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requested reconsideration of the Oklahoma State Department of Health's August 11, 2014, decision. On August 25, 2014 the applicant was granted reconsideration. Reconsideration hearing date: September 25, 2014. The hearing date has been rescheduled to November 7, 2014, beginning at 9:00 a.m. before the Honorable Suzanne Nichols, Administrative Law Judge. The hearing date has been rescheduled to January 29-30, 2015, beginning at 9:00 a.m. A settlement agreement is pending. A settlement agreement was reached and the application was approved on March 2, 2015.

**Franciscan Villa #14-043.** Contact Person: Scott Campbell, Ph: 214-755-9655. Facility Acquisition. Date Filed: December 15, 2014. Incomplete: December 15, 2014. Additional Information Due: March 30, 2015. Application withdrawn: January 16, 2015.

**Hometown Memory Care #13-009.** Contact Person: Jason Carter, Ph: 918-647-2349. Hometown Memory Care, LLC d/b/a Hometown Memory Care, has applied to the Oklahoma State Department of Health (OSDH) for permission to establish a sixty (60) bed Specialized Nursing Facility for Alzheimer's and/or Dementia related residents in LeFlore County. The service area included in the application list LeFlore County, Latimer County, McCurtain County, Pushmataha County and Sequoyah County. The applicant list the twenty (20) mile radius to include, Shady Point, Howe, Monroe, Cameron, Wister, Panama, Heavener, Spiro, Bokoshe, Hodgen, Pocola, Summerfield and Fanshawe. Hometown Memory Care, LLC is owned one hundred percent (100%) by Jason Carter. Date Filed: April 2, 2013. Complete: April 19, 2013. Deadline for notice of intent to participate: May 16, 2013. Decision Due: July 1, 2013. Request for extension to extend decision deadline: May 24, 2013. Request for extension to submit response to participating parties and extend Commissioner's decision deadline approved: June 11, 2013. Second Request received for extension to extend decision deadline received: July 9, 2013. Decision deadline: August 2, 2013. Request to extend decision deadline received July 9, 2013. Decision deadline: October 11, 2013. Request to extend decision deadline received September 10, 2013. Decision deadline: November 8, 2013. Request to extend decision deadline received October 9, 2013. Decision deadline: December 12, 2013. Request to extend decision deadline: November 12, 2013. Granted extension request: November 13, 2013. Additional Information Due: December 12, 2013. Decision deadline: February 13, 2014. Request to extend decision deadline received January 14, 2014. Final deadline to submit information: February 14, 2014. Decision Due: March 27, 2014. Notice of Inconsistencies in Application Criteria and Standards: March 21, 2014. Request to extend decision deadline: March 24, 2014. Granted extension request: March 26, 2014. Decision Due: May 27, 2014. Response Received: April 25, 2014. Decision Due: June 9, 2014. Approved June 9, 2014. Reconsideration hearing date: July 18, 2014, starting at 9:00 a.m., in room 307, at the Oklahoma State Department of Health (OSDH), before the Honorable Suzanne Nichols, Administrative Law Judge. Reconsideration hearing date rescheduled: September 23, 2014, starting at 9:00 a.m., before the Honorable Suzanne Nichols, Administrative Law Judge. The Reconsideration hearing date has been rescheduled to October 30-31, beginning at 9:00 a.m. each day, before the Honorable Suzanne Nichols, Administrative Law Judge. The Reconsideration hearing date has been rescheduled for February 17-18, 2015, at 9:00 a.m., in Room 1102 at the Oklahoma State Department of Health. On February 5, 2015, a letter was received from Jason Carter, withdrawing from further Certificate of Need action.

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**Wadley Care Center #14-013.** Contact Person: Kassie McCoy, Ph: 918-343-4100. Purcell Real Estate, LLC (PRE) and Purcell Care Center, LLC (PCC), applied to the Oklahoma State Department of Health (OSDH) for approval to acquire by purchase Wadley Care Center; a one hundred five (105) bed licensed nursing facility located at 801 North 6<sup>th</sup> Street, Purcell, OK 73080 from Davis and Lavona Wadley. There is a lease agreement between PRE (Lessor) and PCC (Lessee). PRE, LLC will be owned by BK Strategies Real Estate, LLC one hundred percent (100%). Purcell Care Center, LLC will be owned by BK Strategies, LLC. The person with authority is Bart T. Reed. Date Filed: January 27, 2014. Incomplete: February 10, 2014. Additional Information Due: May 10, 2014. Additional Information Filed: May 1, 2014. Complete: May 12, 2014. Deadline for notice of intent to participate: June 4, 2014. Decision Due: July 21, 2014. Notice of inconsistencies sent: July 8, 2014. Request for extension of 20 days to file additional information received: July 14, 2014. Extension Request approved: July 29, 2014. Decision Due: September 2, 2014. Disapproved: August 26, 2014. The applicant requested reconsideration of the Oklahoma State Department of Health's August 26, 2014 decision. On September 11, 2014 the applicant was granted reconsideration. Reconsideration hearing date will be conducted on October 13, 2014, in room 1102, at 9:00 a.m., at the Oklahoma State Department of Health (OSDH). The reconsideration hearing date has been continued to November 10, 2014, in room 1102, at 9:00 a.m., at OSDH. A settlement agreement is pending.

## **II. THE FOLLOWING CERTIFICATE OF NEED APPLICATIONS ARE COMPLETE AND READY FOR REVIEW UNDER THE LONG TERM CARE CERTIFICATE OF NEED ACT, CERTIFICATE OF NEED HEARING RULES, AND THE PSYCHIATRIC AND CHEMICAL DEPENDENCY FACILITY CERTIFICATE OF NEED ACT. THE REVIEWS BELOW RELY ON SUBMISSION OF WRITTEN EVIDENCE AND ARGUMENT INSTEAD OF PUBLIC HEARINGS.**

**Franciscan Villa #15-007.** Contact Person: Amy Myers, Ph: 208-206-1300. Franciscan Villa, LLC, d/b/a Franciscan Villa Broken Arrow, Oklahoma has applied to the Oklahoma State Department of Health (OSDH) for permission to acquire by lease Franciscan Villa. Franciscan Villa is currently a licensed Continuum of Care facility that has one hundred and ten (110) Nursing Facility beds, and seventy one (71) Assisted Living beds. The facility is located at 17110 East 51<sup>st</sup> Street, Broken Arrow, Oklahoma. Franciscan Villa, LLC is owned one hundred percent (100%) by Diakonos Group, LLC. Diakonos Group, LLC is owned ninety-nine percent (99%) by Scott Duane Pilgrim and one percent (1%) by Servant Holding Corporation. Date Filed: February 13, 2015. Incomplete: February 25, 2015. Additional Information Due: May 25, 2015. Additional Information Filed: March 3, 2015. Complete: March 17, 2015. Deadline for notice of intent to participate: April 14, 2015. Decision Due: May 29, 2015.

**Heritage Villa Nursing Center #14-041.** Contact Person: Greg Frogge, Ph: 405-235-9621. BHCP Heritage Villa Op Co, LLC (BHCPHVO), applied to the Oklahoma State Department of Health (OSDH) for approval to acquire by lease Heritage Villa Nursing Center; a one hundred (100) bed licensed nursing facility located at 1244 Woodland Loop, Bartlesville 74006, from the Paul A. Roll Trust and Wilma N. Roll Trust. The persons with authority are Isaac Dole, Manager. Date Filed: November 11, 2014. Incomplete: January 22, 2015. Additional Information Due: February 23, 2015. Additional Information Filed: January 27, 2015. Complete: January 27, 2015. Council found document incomplete: April 6, 2015. APPLICANT

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FILED FOR AN EXTENSION: April 9, 2015. EXTENTION GRANTED April 9, 2015. Additional Information Filed: April 10, 2015. Deadline for notice of intent to participate: February 24, 2015. Decision Due: April 20, 2015.

**Oakwood Springs #14-040.** Contact Person: Russell Ramzel, Ph: 918-586-5680 Propstone, LLC and Oakwood Springs, LLC d/b/a Oakwood Springs applied to the Oklahoma State Department of Health (OSDH) as joint applicants for approval to establish a seventy-two (72) bed adult psychiatric hospital in an alternate service area consisting of the following counties Canadian, Cleveland, Grady, Lincoln, Logan, McClain and Oklahoma by construction of a new facility, which Propstone, LLC will develop, build the building and be the landlord, Oakwood Springs, LLC will be the lessee/operator of the new psychiatric hospital. Date Filed: November 13, 2014. Incomplete: November 26, 2014. Additional Information Due: February 24, 2015. Additional Information Filed: December 15, 2014. Incomplete: December 22, 2014. Information due February 24, 2015. Additional Information Filed: February 11, 2015. Complete: February 24, 2015. Deadline for notice of intent to participate: March 19, 2015. Decision Due: May 3, 2015.

### **III. APPLICATIONS FILED WITH THE STATE DEPARTMENT OF HEALTH UNDER THE CERTIFICATE OF NEED PROGRAM, BUT NOT DETERMINED COMPLETE AS OF APRIL 6, 2015 AND WHICH MAY BE SCHEDULED FOR REVIEWS AT LATER DATES ARE:**

**Country Cottage #5 #15-004.** Contact Person: Scott Pilgrim, Ph: 918-519-0945. Standard Review to establish a 16 bed ICF/IID. Date Filed: January 22, 2015. Incomplete: February 3, 2015. Additional Information Due: May 3, 2015.

**Gatesway Foundation, Inc. VII #15-001.** Contact Person: Jose Garcia, Ph: 918-259-1445. Establish new ICF/IID beds. Date Filed: January 8, 2015. Incomplete: January 23, 2015. Additional Information Due: April 14, 2015.

**Midwest City Healthcare Residence #15-010.** Contact Person: Joe Neuman, Ph: 214-396-3462. Facility Acquisition. Date Filed: March 2, 2015. Incomplete: March 11, 2015. Additional Information Due: April 11, 2015.

### **IV. EXEMPTION REQUESTS FILED WITH THE STATE DEPARTMENT OF HEALTH UNDER TITLE 63 O.S. SECTIONS 1-852(C) and (D) FOR EXEMPTION OF CERTIFICATE OF NEED REVIEWS AS OF APRIL 6, 2015 ARE:**

**Hillcrest Nursing Center #15-008.** Contact Person: Nick Slaymaker, Ph: 405-319-3500. Exemption-Management Agreement. Date Filed: February 19, 2015. Incomplete March 2, 2015. Information Due: March 12, 2015. Approved: March 24, 2015.

**Midwest City Nursing Center #15-011.** Contact Person: Joe Neuman Ph: 241-396-3462. Exemption-Management Agreement. Date Filed: March 31, 2015. Incomplete: March 31, 2015. Information Due: April 15, 2015.

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### **V. REVIEW OF CERTIFICATE OF NEED APPLICABILITY FOR A LICENSED NURSING OR A SPECIALIZED FACILITY OWNERSHIP CHANGE OR TRANSFER AT TITLE 63 O.S. SECTIONS 1-852(D) AS OF APRIL 6, 2015 ARE:**

**Cedar Crest Manor #14-044.** Contact Person: Cheryl Hankins, Ph: 580-355-1616. Exemption for Change of Ownership. Date Filed: December 17, 2014. Incomplete: December 31, 2014. Additional Information Filed: March 30, 2015. The request remains pending a decision.

**Adams Parc #15-003.** Contact Person: Carrie Burnsed, Ph: 405-232-8700. Exemption Change of Ownership or Stock Transfer. Date Filed: January 13, 2015. The request was found reviewable under certificate of need.

**Oak Hills Living Center #14-024.** Contact Person: Jack Atkinson, Ph: 405-330-1889. Exemption for transferring interest to new entity. Dated Filed: March 20, 2014. Complete: March 24, 2014. Decision Due: April 4, 2014. On April 3, 2014, Jack Atkinson asked the exemption from Certificate of Need be held in abeyance until April 28, 2014. On April 28, 2014, the Honorable Patricia G. Parrish, issued an Order Enjoining Defendants John Stout and Oak Hills Care Center, LLC from transferring ownership and assets of Oak Hills Care Center, LLC to The Woodlands Care Center, LLC, Case # CJ-2011-10045.

**PARCway #15-002.** Contact Person: Carrie Burnsed, Ph: 405-232-8700. Exemption Change of Ownership or Stock Transfer. Date Filed: January 13, 2015. The request was found reviewable under certificate of need.

### **V1. REQUESTS FILED WITH THE STATE DEPARTMENT OF HEALTH UNDER TITLE 63 O.S. SECTION 1-880.6 (E) FOR PSYCHIATRIC OR CHEMICAL DEPENDENCY CHANGE IN BED OR CHANGE IN CONTINUUM OF CARE AS OF APRIL 6, 2015:**

None.

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**OUTSTANDING CERTIFICATE OF NEED PROJECTS****APRIL 2015**

<b>County</b>	<b>Facility Name</b>	<b>City</b>	<b>CN Number</b>	<b>Beds</b>	<b>Status</b>
Oklahoma	Valir Medical Center	Oklahoma City	11-006	Establish 25 bed hospital based skilled nursing unit	Planning
LeFlore	Meadowbrook ICF/MR 3	Howe	09-019	Establish 8 bed SF/IID.	Planning
Tulsa	Shadow Mountain	Tulsa	12-006	Add 24 adult and 12 child psych beds	Completed 10/2/14
Oklahoma	Integris Hospital SW	Oklahoma City	14-018	Add 24 adult psych beds	Completed 11/18/14
Noble	Albert Hall	Billings	13-003	Establish 16 bed SF/IID	Licensed 01/23/15
Beckham	Sayre Memorial Hosp	Sayre	12-059	Relocate 10 adult beds 4 beds completed on 12-27-12	Canceled as Unit closed 9/26/14
Payne	AHS Cushing Hospital LLC	Cushing	13-001	Add 8 adult beds for a total of 21 adult beds	Licensed 5/6/13
Oklahoma	Cedar Ridge Hospital	Oklahoma	13-017	Add 16 adult psychiatric beds of which 8 will be geriatric beds for a total of 52 adult beds	Withdrawn 10/21/14
Garfield	St. Mary's Regional Medical Center	Enid	14-025	Establish 15 adult psychiatric beds	Planning-Plans due 03/05/15
Payne	Epworth Living at the Ranch	Stillwater	13-019	Life care community establishing 40 bed nursing facility	Planning-Plans due 05/22/15
Carter	Mercy Hospital Ardmore	Ardmore	14-020	Establish a sixteen (16) bed geriatric psychiatric unit	Licensed August 1, 2014
Oklahoma	Cedar Ridge Hospital – Bethany	Bethany	14-027	establish sixty-seven (67) inpatient adult	Planning – Plans due 01/30/2015

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				psychiatric beds	
Oklahoma	Midwest City Regional Medical Center	Midwest City	14-037	Adding 34 adult psychiatric beds for a total of 72 adult psych beds	Plans due 01/07/2015